

9. Implementation Program

An Implementation Program has been developed to specify how the Action Plan will be implemented. The Implementation Program detailed in this Chapter involves identification of:

- responsibilities and resources for stormwater management actions;
- training and awareness for Council and Agency staff;
- a mechanism for co-ordinated management of stormwater;
- opportunities for stakeholder involvement; and
- a funding program.

This Implementation Program aims to identify responsibilities for stormwater management actions and develop a co-ordinating body to drive the management of stormwater within the Cooks River catchment.

9.1 Responsibilities and Resourcing

In the development of this Stormwater Management Plan, responsibilities have been assigned for all stormwater management actions. Some actions have been identified as requiring implementation by a group of Councils and stormwater managers, some for implementation in all Council areas, and others specifically for implementation in certain areas managed by one Council or Agency. The cost of implementing the action, including capital, staff resources and maintenance costs have also been identified for each action. Note, where appropriate, cost can be offset by Councils completing the work/investigation in house.

Implementation Programs for individual Councils and key stormwater managers are provided in *Tables 9.1-9.17*. These tables identify responsibility, resourcing and tentative timeframes for implementation of the priority stormwater management actions identified in *Table 8.1*. Each of these tables has been split into part (a) and part (b). Table (a) details all the "level 1" actions, which Council has committed to implement in the short term (3-5 years). Table (b) details all the "level 2" actions which require further investigation in Year 1 to determine feasibility and confirm costs. Timeframes for implementation of these "level 2" actions will be determined following the feasibility study. As detailed in *Chapter 8*, where these actions are found to be unfeasible, alternative actions will be identified to address the stormwater issue and these will be incorporated into the Implementation Program.

The thirteen Councils of the Cooks River catchment are committed to undertaking the actions identified in the Implementation Programs detailed in *Tables 9.2-9.14*. This commitment will require significant funding by Councils who have many other responsibilities and limited available funds. Therefore, while the actions will be

undertaken, the timeframes for implementing the actions are considered tentative and will be reviewed on an annual basis.

The Council Implementation Programs (*Tables 9.2-9.14*) should be integrated into Council's annual Management Planning process to ensure allocation of funding and resources for implementation.

Many actions will be most effective, in a cost-benefit sense, if they are implemented on a catchment basis. These actions require co-ordination of many stormwater managers and would be best implemented by a co-ordinating body, such as the Association of Councils described in *Section 9.3*. *Table 9.1* outlines the Implementation Program for the co-ordinating body. It is intended that all Councils and Government Agencies will contribute resources and work together to implement these stormwater actions across the catchment.

Implementation Programs identifying priority stormwater management actions for individual Councils are presented in *Tables 9.2 to 9.14*. Those actions identified for implementation in the short term, may be initiated in year one but may be ongoing. Therefore, timeframes should be interpreted as the time in which the action should commence and a starting point from which time progress should be reported on.

Costs for implementation and maintenance of proposed actions in *Tables 9.2 to 9.14*, which all Councils will implement, are proportioned according to the percentage of the catchment the Council occupies. For example, Canterbury Council occupies 24% of the catchment and therefore has been allocated 24% of the cost of implementation for the catchment.

Tables 9.15-9.17 identify actions to be implemented by key Government Agencies who have worked with Council in the development of this Stormwater Management Plan. These tables provide the basis for these Agencies to prepare individual Implementation Programs which cover all catchments within their management.

9.2 Staff Training and Awareness

A staff training program is proposed for each Council to ensure that all officers whose activities may impact on stormwater are familiar with best stormwater management practices. The program aims to raise awareness of the potential impacts of staff activities, convey the objectives of the Stormwater Management Plan and define specific responsibilities for implementation of actions within Council.

Councils will establish mechanisms for internal communications of stormwater management issues between sections and staff members. Specific procedures will be developed for key Council activities and a routine audit/educate review of implementation.

9.3 Co-ordinated Management

There are thirteen local Councils and over twenty State Government Agencies and stormwater managers throughout the catchment. The successful implementation of this Stormwater Management Plan requires a co-ordinated approach by all stormwater managers within the Cooks River. While each Council is responsible for implementing stormwater management actions (as identified in *Tables 9.2-9.14*), a co-ordinating body is required to:

- monitor progress towards implementing the actions in the Plan;
- monitor the catchment and evaluate the success of the Plan;
- facilitate the sharing of information and programs;
- drive the implementation of the actions identified in Table 9.1; and
- continually improve the Plan.

The proposed management body to co-ordinate and drive the implementation of this Stormwater Management Plan in the short and long term is discussed below.

9.3.1 Association of Councils

In the short term, it is proposed that the Association of Councils, formed specifically to prepare this Stormwater Management Plan, continue to work together to implement the catchment wide actions within the Plan. The Association of Councils is made up of representatives from:

- Ashfield Council;
- Auburn Council;
- Bankstown Council;
- Botany Bay City Council;
- Burwood Council;
- Canterbury City Council;
- Hurstville Council;
- Kogarah Council;
- Marrickville Council;
- Randwick Council;
- Rockdale Council;
- South Sydney City Council;
- Strathfield Council;
- Sydney Water Corporation;
- Cooks River Catchment Management Committee; and

- Roads and Traffic Authority.

The role of such a Local Government Association in stormwater management is well established, with responsibilities delegated to Councils by government under the *Protection of the Environment and Operations Act*, the *Local Government Act 1993*, the *Clean Waters Act 1972*, the *Waste Minimisation and Management Act 1995*, and associated regulations. In addition, local government is committed to the environmental policies of the Federal Government such as *Ecologically Sustainable Development (ESD)* and *Agenda 21*. The key powers of Council under the Protection of Environment and Operations Act in relation to stormwater management are detailed in *Appendix F*.

The combined efforts of the thirteen Councils in the catchment has the potential to greatly enhance the implementation of actions to achieve the stormwater objectives for the Cooks River catchment. In addition, the cost of many of the actions proposed for each member of the Association of Councils is likely to be reduced through co-ordination of Council activities and dissemination of information.

The Association of Councils proposes to continue to meet on a monthly basis and will form smaller working parties to address particular actions.

9.3.2 Proposed Long-term Management

In the long term, it is considered that a “catchment authority” with the appropriate powers and resources is needed to achieve the long-term objectives for the Cooks River.

The Cooks River Catchment Management Committee was formed in 1991, under the *Catchment Management Act*, to oversee and co-ordinate natural resource management activities at a regional or entire river valley level. The committee is made up of land users and landholders within the catchment, persons with an environmental interest in the catchment, and local and state government representatives. The Cooks River Catchment Management Committee has successfully promoted and co-ordinated total catchment management programs, identified catchment needs and management strategies. The committee has prepared a comprehensive Catchment Management Strategy for the Cooks River that defines the problems and makes recommendations to reduce catchment pollution, flooding and erosion and aims to transform the river into a community asset.

However, as the existing Catchment Management Committee was established under the *Catchment Management Act* it is unable to generate the funds required to implement many of the stormwater management actions. The committee has little direct influence on the actions undertaken by Local Government or State Government Agencies, or for the allocation of resources, or the enforcement of stormwater management actions.

To achieve the long term objectives defined for the Cooks River, the proposed “catchment authority” must have the power to:

- negotiate effective partnerships between Councils, state agencies, and communities;

- gain funding for major works and manage contracts on behalf of Councils for joint works;
- develop and implement consistent planning controls for stormwater management; and
- independently evaluate stormwater management performance.

An example of a management structure with these powers and resources is the Upper Parramatta River Catchment Trust, which was established under the *Water Supply Authorities Act 1987*, rather than the *Catchment Management Act*. The Trustees comprise all the local Council's within the Trust's catchment area and the relevant Government Agencies. This Trust operates principally through the Council's in the catchment, which undertake most of the Trust's works and maintenance activities. Its basic operating funds are raised by rating domestic and commercial land occupiers within the catchment, the rates in this case being collected by Sydney Water on the Trust's behalf. Burton, 1995 reports that the Trust has been very successful and effectively involved local government in the catchment management process. This Trust has implemented major flood mitigation and environmental enhancement works in excess of \$7.0 million in the past four years.

The Cooks River is similar to the Upper Parramatta River example in that it is a highly developed and modified catchment that requires levels of funding significantly higher than can be provided by Councils to achieve the long term objectives.

Under the *Water Supply Authorities Act*, an authority may be established by the Governor's proclamation (s6), which states the name of the authority, its area of responsibility, and the structure and constitution of its managing board. As well as separately constituted, special-purpose authorities, an existing statutory body such as a Council, may also be constituted as an Authority under the Act. Authorities may (s12) raise funds by levying rates and charges, employ staff, undertake works and provide a variety of services, enter into contracts and own buildings and properties.

On the basis of the established and highly-successful precedent of the Upper Parramatta River Catchment Trust, the establishment of a statutory Catchment Management Trust under this Act would appear to offer an attractive alternative to the establishment of a Catchment Management Trust under the *Catchment Management Act*. Such a Trust could have several advantages in that:

- there are no restrictions on the size or constitution of their managing boards, which could therefore have substantial or indeed majority representation of the Councils and Government Agencies within their area of responsibility; and
- they can be established easily and quickly by proclamation, without the need for the amendment of any legislation.

The formation of a Catchment Management Trust under the *Water Supplies Authorities Act* is the recommended management mechanism for the implementation of the Cooks River Stormwater Management Plan in the long term. The establishment of a Catchment Management Trust would allow for:

- convening of regular meetings between all stakeholders including the community;

- co-ordination and implementation of actions which are catchment-wide;
- consultation with community and environment groups;
- independent reviews of the success of the Plan;
- collection and preparation of information from Councils for an annual publication State of the Catchment Report and incorporation of outcomes in Council State of the Environment Reports;
- gaining funding for stormwater management actions;
- ensuring all Councils are implementing action plans consistently across the catchment; and
- co-ordination and implementation of water quality monitoring programs.

9.4 Stakeholder Involvement

The community stakeholders of the Cooks River Stormwater Management Plan are an influential group who's support will assist in the implementation of the Plan. Community stakeholders include the residents, neighbourhood groups, local schools, recreational users, environmental groups, Aboriginal groups and members of the business community. Many of these stakeholders contacted during the preparation of the Plan have indicated their willingness to continue their involvement in the implementation of the Stormwater Management Plan.

The implementation of many of the stormwater management actions will involve community education, liaison, participation and feedback. Community and stakeholder involvement in these actions will aim to secure their continuing support for the implementation of the Stormwater Management Plan.

9.5 Funding Program

There are significant costs associated with the implementation of the Stormwater Management Plan. Councils are committed to providing resources to implement stormwater management actions as detailed in *Section 9.1* and will seek to raise funds through sources including the Commonwealth, State and local governments, the business sector and the individual beneficiaries. Generally costs are allocated between public and private stakeholders to create a cost sharing framework according to one or more of the following principles:

- polluter pays principle, where the person who contributes to the pollution of the water body pays for the implementation of the pollution control measures on their own property, and the remediation of the pollution that is the direct result of their actions;
- beneficiary pays principle, where anyone who will receive a direct benefit from the implementation of the on ground works should contribute to the cost of those works, and

- beneficiary compensates principle, where anyone who derives an indirect benefit, such as improved recreational amenity, should contribute. The beneficiary compensates principle is appropriate where the cost of stormwater management has intangible benefits for the current and future generations of society.

The following cost sharing principles have been adopted by the Council of Australian Governments (COAG):

- the full cost of providing services to specific identifiable beneficiaries or polluters should be recovered by way of charges to them;
- costs of public benefits or impact management which are unable to be attributed and charged to specific beneficiaries or polluters should be regarded as community service obligations; and
- where costs are subsidised by government, they should be defined explicitly so that unsustainable precedents are not established.

Opportunities to increase the capacity of local Councils to secure funds for stormwater management actions are identified in the sections below.

9.5.1 Opportunities to Secure Government Funding

National Heritage Trust (NHT)

The National Heritage Trust is the Commonwealth Government's commitment over the next five years to reversing the decline in the state of Australia's environment. The National Heritage Trust brings together the Commonwealth's support for natural resource management and nature conservation, consistent with regional, state and national strategies. These strategies are to provide the broad framework for managing natural resources within the policies and programs of each State. State agencies, local governments, non-government organisations, industry and community groups are encouraged to work together to develop projects under these strategies.

The Commonwealth Government encourages community groups to responsibly manage and conserve land, vegetation, water and biological diversity in their local area. It does this by funding community groups to carry out resource management and conservation projects with one or more of the following features:

- address a high priority;
- the benefits will be shared by the local community;
- there is strong community support and contribution;
- the project will develop relevant experience knowledge and skills in the community;
- the project is consistent with an ecologically sustainable development based river, catchment or regional plan or strategy and a State, national or major river basin strategy; and

- the results of the project contribute to national objectives for the environment and sustainable resource management, and the results will be communicated to other interested individuals and organisations.

The preparation of the Stormwater Management Plan would form the basis of a regional strategy and provide the basis for an application for funds to assist in the implementation of priority works that will benefit the broader community. For funding revegetation components of the Plan a joint proposal could be made with Greening Australia (NSW), who is well placed to make applications under the National Vegetation Initiative which is a program element of the National Heritage Trust.

The Estuary Management Program

The Department of Land and Water Conservation administers and manages the State Government's Estuary Management Program, which provides financial assistance in the form of a 50 percent subsidy to implement activities that are defined in an Estuary Management Plan. The Estuary Management Manual sets out the procedures and processes to be followed for the development of an Estuary Management Plan.

Local councils are delegated the responsibility for the implementation of the Plan and are accountable for the funds. Subsidies are only granted when the Estuary Management Plan has been finalised and adopted by the councils, and its planning provisions have been incorporated in appropriate statutory plans.

9.5.2 Opportunities for Local Government to Raise Funds

Section 94 Contribution Plans

There is an opportunity for local government to use *Section 94* of the *Environmental Planning and Assessment Act* as a mechanism for sharing the costs of stormwater management activities. *Section 94* is available to manage the catchment impacts of new development where the works required (for example, sedimentation basins and stormwater management works such as on-site retention ponds) are established in a *Section 94* Contribution Plan and can be demonstrated to have a direct linkage to the relevant development. These contribution plans are not available for existing activities in the catchment and so cannot be retrospective.

This is effectively a cost sharing mechanism which ensures that any externalities associated with new developments are charged to the developers and users of that development. Because of this, it is necessary that the cost of works is equitably apportioned according to the costs arising from new development relative to costs associated with existing development. Land contributions to Open Space are important contributions.

Section 495 Special Rates

There is also an opportunity to use *Section 495* of the *Local Government Act* as a mechanism for cost sharing. This section of the Act enables local government to raise special rates for particular works or activities from the beneficiaries of those works or activities. This approach is consistent with the user pays approach to cost sharing for

co-financed projects with mixed public and private sector benefits. Special rates have been raised by Hornsby, Eurobodalla and Warringah Councils. The Hornsby Catchment Remediation levy was struck in 1994 and applies to the entire Hornsby Shire yielding approximately \$650,000 per year.

Catchment Management Levy

The *Catchment Management Act* provides for Catchment Management Trusts to raise levies or catchment management rates to contribute towards the cost of catchment management works. This successfully establishes a cost sharing mechanism which involves resource users (property owners), local government and state agencies.

The ability to use rating powers as a cost sharing mechanism with clear accountability at a local level is one of the great attractions of a catchment levy. Such levies achieve greater equity in sharing costs across the catchment community, who are the beneficiaries of catchment management programs, and in addition have the potential advantage of attracting and leveraging additional resources from externally funded programs.

Section 30 Service Charges

Under Section 30 of the *Water Supplies Authorities Act*, declared Water Authorities (such as Sydney Water) can charge user pays fees for provision of water, sewerage and drainage services to urban and industrial developments. Service charges under Section 30 can be levied for water, sewerage, drainage, loans, development works, flood mitigation, river management and special industry services.

Stormwater Trust

The objective of the Stormwater Trust is to encourage and support improved urban stormwater quality management practices to improve the condition of the state's waterways. This is to be achieved through a combination of public education, stormwater management planning, piloting innovation and undertaking remedial actions. The Stormwater Trust's activities will promote partnerships between the private and public sectors in meeting this objective.

A number of applications for funding through the Trust have been submitted by individual Councils within the catchment. Collectively the 13 Councils have successfully applied for funding for a catchment based policy, education and auditing program to address the following issues identified during the development of the stormwater management plan:

- the lack of co-ordination between stormwater managers within the catchment;
- poor commercial and industrial environmental management practices;
- lack of understanding within the diverse residential community of the link between backyard practices and river health; and
- limited environmental awareness about the impacts of littering on waterways.

These issues became the basis for developing a series of six stormwater strategies as detailed in *Table 9.18*. The project aims to develop a multi-layered education and

auditing program for implementation simultaneously throughout the catchment. This Stormwater Trust grant will enable the funding of a number of priority actions identified in the Action Plan and highlighted in *Table 9.18* over the next year.

Table 9.18: Stormwater Strategies for Which Funding Has Been Obtained Through the Stormwater Trust 1998 Grant Application (Source Grant Application, 1998)

| STRATEGY | STORMWATER ISSUE | ACTION | OUTCOME/PERFORMANCE MEASURE |
|--|--|--|---|
| 1. Advise and educate property owners of the stormwater protocols and advise on practical ways to alter practices | Pollutants and toxics entering the river from industry discharges and inadequate stormwater controls | Develop a catchment wide set of stormwater protocols. Audit new and existing businesses/major landholders. Determine if pollution spikes detected in results of water quality monitoring are linked to industry discharges and stormwater practices. | Up to 1000 businesses and major land holders audited. Cleaner stormwater practices implemented by businesses and major land holders audited after 12 months. Determined if pollution spikes are associated with industry and if there has been any reduction in spikes as a result of auditing. |
| 2. Change specific corporate practices impacting on stormwater quality and quantity. | Identifiable corporate litter such as drink bottles, chip packets and fast food packaging in waterways. Stormwater run-off from large premises. | Develop and undertake a high level approach to specific corporate businesses to alter practices. | Number of corporations which have changed practices. |
| 3. Provide incentives for businesses to consider improving stormwater practices and publicise examples of good practice. | Same as 1. | Establish an awards program for industry building on "Solutions to pollution" program. | Number of businesses entering competition with improved stormwater practices. |

| STRATEGY | STORMWATER ISSUE | ACTION | OUTCOME/PERFORMANCE MEASURE |
|--|--|---|---|
| 4. Raise residents awareness of need for reduction in stormwater run off and improve merits in stormwater quality; identify ways to achieve this; provide incentives for residences to consider improving practices. | <p>Leaf litter/litter from residential premises and nature strips washing into the drains.</p> <p>Heavy metals in stormwater run off from certain roof types</p> | <p>Provide incentives, workshops and awards program for residential properties to encourage residents to :</p> <p>increase native planting;</p> <p>install rainwater tanks for garden use;</p> <p>plant understorey plants on nature strip to mitigate leaf litter for street trees.</p> <p>Awards for the most practical solutions to common stormwater problems would be given.</p> <p>Program would build on "Streets to Rivers" program which was run in Canterbury and Marrickville areas.</p> | <p>Number of residents attending workshop and taking up incentives.</p> <p>Number of residents maintaining improved stormwater practices after 12 months.</p> <p>Number of residents taking up incentives.</p> |
| 5. Instil in children a thorough knowledge of stormwater issues; foster a creative approach to resolving this environmental issue; raise awareness amongst families which are difficult to reach through other strategies. | <p>Stormwater quality.</p> <p>Littering of waterways.</p> <p>Other identifiable stormwater issues</p> | <p>Establish and implement a problem solving based stormwater curriculum unit by a senior curriculum officer, suitable for use in all schools including:</p> <ul style="list-style-type: none"> ■ an excursion to sample water quality; ■ a problem solving project to develop a "solution to pollution" approach; ■ a competition where the best ideas can be displayed, judged and possibly implemented. | <p>Number of schools prepared to run curriculum again.</p> <p>Number of school children that undertook the curriculum and achieved a greater awareness of stormwater issues.</p> <p>School awards night for best solutions.</p> |

| STRATEGY | STORMWATER ISSUE | ACTION | OUTCOME/PERFORMANCE MEASURE |
|--|-------------------|---|---|
| 6. Inform industry and residents of protocols and of the awards program. | All of the above. | <p>Develop educational material in common languages, targeting community events.</p> <p>Material would include guides to alternative industry practices, appropriate building materials, indigenous vegetation suitable roadside gardens, innovative residential solutions.</p> | Raised awareness of stormwater issues and improved stormwater practices across the community. |
